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WILLIAMSPORT, PA

FEB 26 2002

MARY E. D'ANDREA, CLERK
Per KF
Deputy Clerk

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL NORWOOD, :
Plaintiff :
 :
v. : Civil No. 1:CV-01-1005
 : (Caldwell, J.)
DONALD ROMINE, Warden, : (Smyser, M.J.)
Defendant :

MOTION FOR ENLARGEMENT OF TIME

Pursuant to Fed. R. Civ. P. 6(b), the United States Attorney's Office, on behalf of the defendant, requests the Court for a fourteen (14) day enlargement of time for the filing of any objections to the Magistrate Judge's Report and Recommendation dated February 12, 2002. The United States Attorney's Office states the following in support thereof:

1. Plaintiff is an inmate incarcerated at the United States Penitentiary in Lewisburg, Pennsylvania.
2. On June 6, 2001, Norwood filed a Bivens action against Warden Romine alleging his rights under the Religious Freedom Restoration Act are being violated because his meals are being served to him with utensils which were previously used to serve or prepare pork.

3. A motion to dismiss and for summary judgment was filed by defendant Romine on December 10, 2001, and subsequently briefed by the parties.

4. By Report and Recommendation dated February 12, 2001, Magistrate Judge Smyser recommended that the dispositive motion be denied and that the case be remanded for further proceedings. Objections to the Report and Recommendation, if any, are due by February 27, 2002.

5. Presently, the undersigned and agency counsel have been in communication with the Bureau of Prisons' Regional Office and Central Office regarding this case in order to determine whether the filing of objections to the Report and Recommendation is warranted. However, additional time to contemplate our options is necessary.

6. Accordingly, the United States Attorney's Office requests a fourteen-day enlargement of time in which to object, if at all, to the Report and Recommendation.


7. The undersigned submits that plaintiff will not be prejudiced by this enlargement of time as it will allow agency counsel and the undersigned additional time in which to review his case and, if deemed necessary, prepare objections which are thorough and complete in all respects.

WHEREFORE, on behalf of defendant Romine, the United States Attorney's Office requests an enlargement of time until March 13,

2002, in which to object to the Report and Recommendation, if deemed appropriate. Counsel certifies that he has not sought the concurrence of plaintiff because plaintiff is a prisoner proceeding pro se. M.D. Pa. Local Rule 7.1.

Respectfully submitted,

MARTIN C. CARLSON
United States Attorney

A handwritten signature in cursive script, appearing to read "Joseph J. Terz".

JOSEPH J. TERZ
Assistant U.S. Attorney
MICHELE E. LINCALIS
Paralegal Specialist
316 Federal Building
240 West Third Street
Williamsport, PA 17703

Date: February 26, 2002

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL NORWOOD,	:	
Plaintiff	:	
	:	
v.	:	Civil No. 1:CV-01-1005
	:	(Caldwell, J.)
DONALD ROMINE, Warden,	:	(Smyser, M.J.)
Defendant	:	

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.


That on February 26, 2002, she served a copy of the attached

MOTION FOR ENLARGEMENT OF TIME

by placing said copies in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Williamsport, Pennsylvania.

Addressee:

Michael Norwood
Reg. No. 06970-014
U.S. Penitentiary
P.O. Box 1000
Lewisburg, PA 17837



MICHELE E. LINCALIS
Paralegal Specialist

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

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Plaintiff	:	
	:	
v.	:	Civil No. 1:CV-01-1005
	:	(Caldwell, J.)
DONALD ROMINE, Warden,	:	(Smyser, M.J.)
Defendant	:	

O R D E R

AND NOW, this _____ day of _____, 2002, upon consideration of defendant's motion for enlargement of time, **IT IS HEREBY ORDERED** that the motion is granted. Defendant's objections to the Report and Recommendation, if any, shall be filed on or before March 13, 2002.

WILLIAM W. CALDWELL, Judge
United States District Court